

AF 12135
JFW



Practitioner's Docket No. RVSI-013A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: CURTIS W. HOWES, Et Al

Application No. : 09/804,811 Group No.: 2135
Filed : March 13, 2001 Examiner : Thanhnga B. Truong
For : SECURE TRACKING OF ARTICLES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed July 27, 2005, for a second time rejecting claims 2-16, 18-32 and 34-56.

1. STATUS OF APPLICANT

This application is on behalf of a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small entity \$250.00

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)


I hereby certify that, on the date shown below, this correspondence is being:

XXX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10*
XXX with sufficient postage as first class mail. G as "Express Mail Post Office to Addressee"
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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____
11/01/2005 NNGUYEN1 00000070 09804811
01 FC:2401 250.00 OP
Date: October 27, 2005


Signature
MORRIS I. POLLACK, Reg. No. 20,270
(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal fee due

\$250.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee

\$250.00

TOTAL FEE DUE

\$250.00

5. FEE PAYMENT

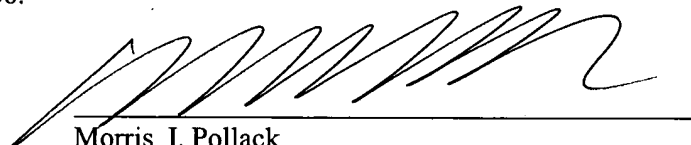
Attached is a check No. 691 in the amount of \$250.00.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 502966.

Date: October 27, 2005



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